

Appl. No.: 10/687,561  
Response dated April 25, 2005  
Reply to Office Action of Jan. 25, 2005

### **REMARKS**

This is in response to the Office Action dated January 25, 2005. The response being due April 25, 2005.

Claims 1-66 are pending in the application. No claim is allowed.

In summarizing the Office Action, the Examiner rejects claims 5, 11 and 26 under 35 U.S.C. §112 as contained in paragraphs 1 and 2 of the Office Action.

With regard to claim 5, the Examiner is referred to reference line 66 in figure 1. This reference line shows that a pilot occupying the pilot house has a line of sight (66) that enables the pilot to see the water in front of the hull a distance less than the length of the hull. This claim is supported by the specification (see figure 1 and page 8, lines 21-23). The reference line 66 in figure 1 is defined in the specification as being a line that goes from the pilot house to the water surface and that is less than the length of the hull. This is an important feature in rescue operations because it enables the pilot of the boat to see a person in the water that is in need of rescue at a close distance to the hull. This is one feature of the present invention which provides overall an improved configuration for a rescue vessel that has great utility in rescuing persons in shallow water environments.

Claim 11 has been amended to cure any antecedent basis problem.

Claim 14 has been amended to remove the parenthetical statement.

Claim 26 has been amended to remove any antecedent basis problem.

The Examiner indicates that claim 24 is rejected under 35 U.S.C. §102(b) as anticipated by Kobayashi as noted by the Examiner in paragraphs 3 and 4 of the Office Action. With respect to the rejection contained in paragraphs 3 and 4 of the Office Action, claim 24 claims a transom and multiple buoyancy chambers extending between the fan tail and the transom and that each extend both behind and on opposing sides of the propulsion system. The propulsion system claims one or more water jet units that extend behind the transom. Therefore, the transom of Kobayashi must necessarily be that structure to which the propulsion system is mounted, namely the wall 28 in figure 6. However, there is no disclosure, suggestion nor teaching of multiple buoyancy chambers

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extending behind the transom 28 of Kobayashi wherein the transom is a structure that extends between the port and starboard sides of the hull as claimed. In Kobayashi, the transom only extends a partial distance from the center of the hull in each direction, not to the port and starboard sides as claimed. As claim 24 is believed allowable, dependent claims 25-48 and 57-66 believed allowable.

The Examiner rejects various claims in paragraphs 6-29 of the Office Action as obvious under 35 U.S.C. §103(a). These rejections are respectfully traversed.

The Examiner relies upon Keleman. However, Keleman does not suggest nor disclose the subject matter of independent claim 1 as amended. Claim 1 as amended points out that each of the rescue wells has an open top that forms an opening in the upper deck that is covered with removable deck grating. In Keleman, a series of compartments 11 are formed along the side of the ship 10 as shown in figures 1 and 3. Each of these compartments is well below the deck of the vessel as shown in figure 3. Keleman's compartments do not provide the open top that forms an opening in the upper deck as claimed. Keleman does not disclose the positioning of the rescue wells as claimed, being on port and starboard sides of the hull, next to the pilot house wherein each rescue well extends forwardly from a position next to the rear of the pilot house and a majority of the length of each rescue well is in front of the rear of the pilot house. This improved configuration enables operators of the vessel to pilot the boat while watching the position of a man overboard, either swimming to the rescue well or being towed by another swimmer to the rescue well. This is an important feature because if the pilot of the boat does not clearly see the position of the man overboard, that person could be injured by improper movement of the hull. As claims 1-23, 47-56 depend from claim 1, they are believed allowable for the same reason that claim 1 is believed allowable.

The Examiner is requested to reconsider the refusal to consider the prior art Motor Boat Life Boat brochure. Part of the brochure provides drawings (clean copy attached) showing clearly the hull configuration of the prior art vessel disclosed. It is submitted that these drawings have as much detail as the drawings in the patents cited by the Examiner in the rejections. ✓

Reconsideration and a Notice of Allowance is respectfully requested.

Should the Examiner feel that a telephone conference would advance the prosecution of this

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application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Please charge any additional fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25 day of April, 2005.

Charles Gamm

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